

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:03CR3035
)	
V.)	
)	
ALFONZO CARRILLO,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

This matter is before the court upon Defendant's motion for leave to appeal in forma pauperis ([filing 71](#)). On February 24, 2009, this court entered an order ([filing 68](#)) denying Defendant's motion to proceed in forma pauperis for the reason that Defendant's appeal was not taken in good faith.

The United States Court of Appeals for the Eighth Circuit subsequently issued a letter to Defendant ([filing 70](#)) informing him that if he desires to renew his motion to proceed in forma pauperis on appeal, he must file a new motion with the Eighth Circuit Court of Appeals. It appears, however, that Defendant mistakenly renewed his in forma pauperis motion by filing it with this court ([filing 71](#)).

IT IS ORDERED:

1. The clerk of court shall forward Defendant's motion ([filing 71](#)) and a copy of this memorandum and order to the United States Court of Appeals for the Eighth Circuit;
2. The clerk of court shall terminate Defendant's motion ([filing 71](#)) on the court's computerized record keeping system.

April 2, 2009

BY THE COURT:
s/Richard G. Kopf
United States District Judge